IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE JURISDICTION

WRIT PETITION NO.442 OF 2004

Kuber M. Mane & Anr. ..Petitioners.

Vs.

The State of Maharashtra & Ors. ..Respondents.

Mr. S. S. Pakale for the Petitioners.
Mr. V.P. Malwankar, AGP for Respondent No.1.
Mr. P.P. Chavan for Respondent Nos. 2 and 3.

CORAM : F.I. REBELLO AND Dr.D.Y.CHANDRACHUD,JJ.

DATED : 06TH FEBRUARY, 2006.

P.C.:

1. By order dated 18.10.2004, as the petitioners were appointed against reserved seats, the learned Bench of this court directed that the petitioners be continued till the reserved category candidates are duly selected. In fact, after that order, really nothing survives in this petition and petition can be disposed of by continuing the said order.

2. The petitioners claim against the post of Central Heads (Kendra Pramukhs). The appointments to these posts are from the trained graduate primary teachers/ assistant graduate teachers from the reserved

category as per the seniority. At the relevant time, from the reserved seats there were no candidates available and consequently, the petitioners were appointed in the said posts. In other words, the petitioners were appointed till such time, the reserved candidates become available. The moment the reserved candidates are available, the petitioners will have to vacate the posts for those candidates. It is however, made clear that if the vacancies so arise for the open category candidates, the petitioners will be considered for those vacancies as per the seniority list.

3. With the above observations, the petition stands disposed of. Rule discharged with no order as to costs.

06.02.2006 (F.I.Rebello,J)

(Dr.D.Y.Chandrachud,J)

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